

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

OTIS S.,¹
Plaintiff,

v.

Case No. 2:23cv83

KILOLO KIJAKAZI,
Commissioner of Social Security,
Defendant.

FINAL ORDER

This matter is before the Court on the Report and Recommendation of the Magistrate Judge entered on August 9, 2023. ECF No. 15. The time to file objections has expired and neither party has objected to the Report and Recommendation. Having reviewed the Report and Recommendation, and having considered the record and the Report and Recommendation and finding no error, it is hereby ORDERED:

- (1) The Report and Recommendation, ECF No. 15, is ADOPTED as the opinion of this Court.
- (2) Defendant's Motion to Dismiss or in the Alternative Motion for Summary Judgment, ECF No. 10, is GRANTED.
- (3) Plaintiff's claims are DISMISSED WITHOUT PREJUDICE for failure to exhaust administrative remedies.
- (4) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is SO ORDERED.



Elizabeth W. Hanes
United States District Judge

Norfolk, Virginia
Date: August 31, 2023

¹ In accordance with a committee recommendation of the Judicial Conference, plaintiffs last name has been redacted for privacy reasons. Comm. on Ct. Admin. & Case Mgmt. Jud. Conf. U.S., Privacy Concern Regarding Social Security and Immigration Opinions 3 (2018).